

**EXPLANATORY STATEMENT**

*Migration Regulations 1994*

**EVIDENCE OF INTENDED COURSE OF STUDY 2017/013**

*(Subitem 1222(3) and 1222(5))*

1. Instrument IMMI 17/013 is made under subitem 1222(5) of the *Migration Regulations 1994* (the Regulations).
2. The Instrument revokes IMMI 16/027 (F2016L00650) under subitem 1222(5) of the Regulations and in accordance with subsection 33(3) of the *Acts Interpretation Act 1901*, which states where an Act confers a power to make, grant or issue any instrument of a legislative or administrative character, the power shall be construed as including a power exercisable in the like manner and subject to the like conditions (if any) to repeal, rescind, revoke, amend, or vary any such instrument.
3. The Instrument operates for the Minister to specify evidence of intended course of study requirements for Item 1222 Student (Temporary) (Class TU) visa applications.
4. The purpose of the Instrument is to specify, as evidence that meets the requirement of paragraph 1222(5)(b), a confirmation of enrolment number, and to specify that confirmations of enrolment and letters of offer must not be cancelled or revoked.
5. In accordance with paragraph 15J(2)(e) of the *Legislation Act 2003* consultation was not necessary. The Instrument is of a minor or machinery nature and does not substantially alter existing arrangements.
6. The Office of Best Practice Regulation has advised that a Regulatory Impact Statement is not required (OBPR Reference 21118).
7. Under section 10 of the *Legislation (Exemptions and Other Matters) Regulation 2015*, the Instrument is exempt from disallowance and therefore a Statement of Compatibility with Human Rights is not required.

8. The Instrument commences on the day after it is registered on the Federal Register of Legislation.